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REMARKS

Status Summary

Claims 1-10 and 12-40 are pending in the present application, of which claims 1, 10, 23 and 34-35 are presented in independent form. No claims have been allowed and claims 1-10 and 12-40 stand rejected.

Interview

Applicant wishes to thank the Office for the courtesy extended during a telephonic interview with the undersigned representative on April 4, 2008. During the interview, agreement was reached that the cited art did not qualify as prior art under 102(e). The Examiner did, however, discover a corresponding US Patent number 6,567,122. In the interest of furthering prosecution, Applicant did not require a new rejection from the Office, and is responding to the originally mailed paper as if it referenced US Patent number 6,567,122.

Claim Rejection(s) - 35 U.S.C. § 102

Claims 1-10 and 12-40 stand rejected as being anticipated by US Patent number 6,567,122 to Anderson, et al. (hereinafter "Anderson").

As a preliminary matter, Applicant would like to note that the Anderson reference is commonly owned by the Assignee of the instant application and shares at least one inventor in common. Applicant is familiar with the subject matter disclosed therein. As the Office states, the Anderson reference was cited by Applicant in an IDS.

To support a rejection under 35 U.S.C. § 102, each and every feature of the claimed invention must be shown in a single prior art document. In re Paulsen, 30 F.3d 1475 (Fed. Cir. 1994); In re Robertson, 169 F.3d 743 (Fed. Cir. 1999). The pending claims positively recite limitations that are not disclosed (nor suggested) in the cited document.

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For example, the Office contends that Anderson "teaches a method for providing access to respective entity-specific photo-sharing websites for a plurality of entities, each entity controlling a set of entity-specific network-enabled image capture devices (See Abstract; page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15)" as recited in claim 1. Applicant respectfully disagrees. There is no reference in any of the cited portions of Anderson to a photo-sharing website at all much less to entity-specific photo-sharing websites for a plurality of entities as recited in claim 1. Specifically, the abstract reads:

> The present invention comprises a method and system for implementing internet access to images stored in a digital image capture unit including an imaging device and a display. The image capture unit (e.g., a digital camera) is used to capture images and store them within its internal memory. The image capture unit accesses a ID server via the internet and registers its identity and internet address with the web server. A user subsequently accesses the image capture unit by entering the identity of the image capture unit into his web browser. The web browser, using standard internet protocols, then queries the ID server with the identity of the image capture unit and retrieves the internet address. The internet address is subsequently used to access a web page hosted by the image capture unit and display the web page to the user. The web page provides access to the stored images within the image capture unit.

It is clear from the Abstract that Anderson is directed to a method and system for providing access to a digital image capture unit via an ID server. In Anderson, a web browser can be used to directly access the image capture unit to access the stored images within the image capture unit.

The Office further cites page 20, lines 23-27 through page 21, lines 1-4, which reads:

> Camera 100 accesses ID server 760 via the internet 750 and registers its identity and internet address. ID server 760 maintains an internal database of "on-line" devices and their associated internet addresses. User 720, or any other user wishing to access the camera (e.g., the camera owner's friends or relatives) subsequently enters the identity of camera 100 into his web browser (e.g., camera 100's URL). Using standard internet protocols, ID server 760 is queried with the URL of

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camera 100 and returns the camera 100's current internet address. The
user 720's web browser then accesses camera 100 using the current
internet address returned from ID server 760.

The Office further cites page 26, lines 6-15 which reads:

Modem 801 is shown as an external modem. However, the functionality of
modem 810 can be implemented directly within the electronics of camera
100 (e.g., via a modem ASIC), or alternatively, can be implemented as a
software only modem executing on computer 118 within camera 100. As
such, it should be appreciated that, at the hardware connectivity level,
modem 801 can take several forms. For example, a wireless modem can
be used in which case the camera is not connected via an external wire to
any land line. Alternatively, there may even be applications in which
camera 100 includes suitable electronic components enabling a
connection to a conventional computer system network (e.g., ethernet,
Apple talk, etc.), which is in turn, directly connected to the internet (e.g.,
via a gateway, a firewall, etc.), thereby doing away with the requirement
for an ISP. Hence, it should be appreciated that the present invention is
not limited to any particular method of accessing the internet 750.

None of the cited sections of Anderson disclose a photo-sharing site as recited in the
instant claims. As defined on page 2 lines 5-8, a photo-sharing website allows "users to
store their images ….once posted on a photo-sharing website, others may view the
images over the Internet." In pointing to this section of the specification, Applicant is not
attempting to improperly read limitations from the Specification into the claim. Rather,
Applicant is merely pointing to a definition of a term (photo-sharing website) found in the
claim. The claim must be interpreted in a manner consistent with the Specification as
required by the MPEP.

As stated above, Anderson is directed to allowing access to a digital camera via
a website. The images in Anderson are stored on the image capture unit and accessed
from that location. The abstract clearly states "The web page provides access to the
stored images within the image capture unit." There is no mention of storing images
anywhere other than on the camera. As such, Anderson cannot be said to disclose or
suggest a photo-sharing website or service in any manner. Accordingly, since

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Anderson fails to disclose each and every feature of the claimed invention for at least
the above reasons, claim 1 is not anticipated by Anderson.

Further, the Office contends that Anderson teaches "providing an online photo-
sharing service configured to provide access to the respective entity-specific photo-
sharing websites for each of the entities, wherein one or more of the entity-specific
photo-sharing websites is customized in appearance to a corresponding one or more of
the plurality of entities (See page 29, lines 12-27; page 30, lines 1-11; page 33, lines 6-
21)" as recited in claim 1. Applicant again respectfully disagrees.

Page 29, lines 12-27 through page 30, lines 1-11 reads:

Alternatively, security can be maintained by camera 100 in addition to, or
instead of, ID server 760. Once camera 100 has notified the ID server 760
that it is on-line, it services all of requests for access. However, full access
(e.g., access to the functionality of the camera) is accorded only to those
users having appropriate authorization information (e.g., user ID and
password). Whereas and unauthorized user attempting access might
receive an appropriate message (e.g., an "access denied" web page), an
authorized user would see a web page representative of the functionality
of the camera. The web page could include, for example, control buttons
for camera control, images, or the like.

It should be noted that the first time ID server 760 is accessed, user 720
may be prompted to enter appropriate information (e.g. device ID,
password information, etc.) to initialize and set up the service. This
information uniquely identifies both user 720 and camera 100. The
initialization can be made completely automatic beyond user 720 entering
the appropriate information. Once the initialization process is completed,
the operation of user 720's web browser with ID server 760 would proceed
transparently with respect to user 720.

Further, page 33, lines 6-21 reads:

In step 1108, the user accesses the images stored within the digital
camera via the web pages received from the web server application 910
hosted within the digital camera. As described above, the web page
interface of the digital camera provides a readily familiar and intuitive
interface for interaction and control of the camera by the user. Depending
upon the particular application, the camera's web pages include control
buttons, data entry fields, drop down menus, or even more sophisticated

objects (e.g., java applets) for interaction with the user. Using these web pages, the user is able to access the functional controls of the camera in addition to the stored images.

In step 1109, process 1100 continues depending upon the particular requirements of the user. For example, as described above, the user can modify the parameters of the application program executing within the camera (e.g., increase or decrease the frequency of image recording). The user can let the application continue running as is. The virtually zero incremental cost of the images allows for many variations.

These sections are directed to web pages that are provided by each individual camera, not by an online photo-sharing service as recited by claim 1. The only server described in these sections is the ID server 760. The ID server is simply not a photo-sharing service as defined in the instant application. The ID server, as described above, maps an ID of an image capture unit to an Internet address. The ID server then performs a lookup function to locate the image capture unit. There is no discussion of the ID server storing images as a photo-sharing service must do. Accordingly, the ID server cannot be said to disclose a photo-sharing service as recited in claim 1. Accordingly, since Anderson fails to disclose each and every feature of the claimed invention for this reason as well, claim 1 is not anticipated by Anderson.

Further, there is no discussion of customizing the appearance of an entity specific website at all. Claim 1 includes a recitation directed to "one or more of the entity-specific photo-sharing websites is customized in appearance to a corresponding one or more of the plurality of entities." The cited sections describe web pages that are served by the camera's themselves (rather than by a photo-sharing service) that include objects such as control buttons, data entry fields, drop down menus, etc. for interaction with the user. There is no discussion of these objects being customized in any manner, much less customized in appearance to a corresponding one or more of the plurality of entities. As such, Anderson cannot be said to disclose or suggest "wherein one or more of the entity-specific photo-sharing websites is customized in appearance to a corresponding one or more of the plurality of entities" as recited in claim 1. Accordingly,

since Anderson fails to disclose each and every feature of the claimed invention for this reason as well, claim 1 is not anticipated by Anderson.

Further, the Office contends that Anderson teaches "that causes the entity-specific network-enabled image capture devices to wirelessly transmit entity ID information when the entity-specific network-enabled image capture devices wirelessly transmit images to the photo-sharing service over the internet connection (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15)" as recited in claim 1. As described above, the ID server never receives images from the image capture device in Anderson. There is no description of the ID server receiving anything other than ID's and lookup/registration requests. The only access to images that occurs in Anderson is via a webpage provided by the camera that provides direct access to a user via a web browser. No photo-sharing service is described at all, much less one that receives images. As the Office relies on the ID server as the photo-sharing service, and the ID server never receives images, Anderson cannot be said to disclose or suggest "image capture devices wirelessly transmit images to the photo-sharing service" as recited in claim 1. Accordingly, since Anderson fails to disclose each and every feature of the claimed invention for this reason as well, claim 1 is not anticipated by Anderson.

Further, the Office asserts that Anderson discloses "wherein when the entity-specific network-enabled image capture devices wirelessly connect to the photo-sharing service via the wireless internet connection, the photosharing service uses the entity ID received from the entity-specific network-enabled image capture devices to automatically associate the images received from the entity specific network-enabled image capture devices with the photo-sharing website of the identified entity (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16)" as recited in claim 1. Applicant has addressed all but one of the sections of Anderson cited above. The remaining section found on page 22, lines 4-15 reads:

> Web server application 910 (FIG. 9) hosted by camera 100 provides access to the stored images via the web pages. For example, requested images are embedded within the web pages which are sent to user 720's

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web browser. And user 720's web browser requests images or issues commands to camera 100, by embedding them within the status information included within the HTTP requests issued from the web browser to web server application 910 hosted by camera 100. By implementing remote accessibility via the internet 750, access to camera 100 can be obtained from virtually an unlimited number of locations. For example, camera 100 can be set to continuously take pictures of scenes/items of interest and allow user 720 to access those pictures at any time. Camera 100 and web server application 910 hosted thereon are further described in the discussion of FIG. 9 below.

From the section cited above, it appears that the Office is now reading the web server application of Anderson as anticipating the photo-sharing service recited in claim 1 for this particular recitation rather than the ID server of Anderson used for the above discussed recitations. Applicant respectfully disagrees. The web server application is simply not a photo-sharing service as defined in the instant application. The cited section clearly states that the web server application is hosted by the camera. The claim recites the image capture device wirelessly connects to the photo-sharing service. Applicant respectfully asserts that a web server application hosted on a camera would not be wirelessly accessed by the camera. As such, the web server application disclosed in Anderson cannot be said to disclose a photo-sharing service as recited in claim 1.

Further, as stated above, the ID server cannot be said to disclose this recitation as well. The ID server never receives the images, much less automatically associates the images with the photo-sharing website of the identified entity. As such, the ID server disclosed in Anderson cannot be said to disclose this recitation either. Accordingly, since Anderson fails to disclose each and every feature of the claimed invention for this reason as well, claim 1 is not anticipated by Anderson.

Accordingly, since Anderson fails to disclose each and every feature of the claimed invention for at least the above reasons, claim 1 is not anticipated by Anderson. Furthermore, rejected claims 10, 23, 34, and 35 contain analogous recitations to those discussed with reference to claim 1. As such they are considered novel and inventive

for at least the same reasons. Further claims 2-9, 12-22, 24-33, and 36-40 are novel and inventive for at least the same reasons.

CONCLUSION

In view of the above, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited. The Examiner is respectfully requested to telephone the undersigned patent attorney at the below-listed number if, after reviewing the above Remarks, the Examiner believes outstanding matters remain that may be resolved without the issuance of a subsequent Official Action.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, associated with the filing of this paper to Deposit Account No. **50-3512**.

Respectfully submitted,

Date: <u>April 10, 2008</u>

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